


Government of the District of Columbia  
Office of the Chief Financial Officer



Jeffrey S. DeWitt  
Chief Financial Officer

**MEMORANDUM**

**TO:** The Honorable Phil Mendelson  
Chairman, Council of the District of Columbia

**FROM:** Jeffrey S. DeWitt  
Chief Financial Officer 

**DATE:** October 21, 2015

**SUBJECT:** Fiscal Impact Statement – Uniform Interstate Family Support Act of 2015

**REFERENCE:** Bill 21-245, Draft Committee Print shared with the Office of Revenue Analysis on October 20, 2015

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**Conclusion**

Funds are sufficient in the fiscal year 2016 through fiscal year 2019 budget and financial plan to implement the bill.

**Background**

The Uniform Interstate Family Support Act regulates the implementation and enforcement of child support orders when one or more of the parents live or work in a state other than the child's home state, where the courts entered the original order. Every state must defer to the child support orders entered by the state courts of the child's home state. Moreover, the home state has continuing exclusive jurisdiction over the child support order, and only its courts can modify the order. This limitation ensures that one parent cannot seek to change the child support order by taking advantage of perhaps more favorable laws in a different state. The Act also provides direct enforcement of the orders by all jurisdictions. For example, the employer of an obligated parent is required to withhold child support payments even when the orders are issued by the courts of another state. Similarly, the caretaker parent can have an out-of-state court enforce the orders.

Federal law requires that all states adopt the Uniform Interstate Family Support Act and to continue to receive federal funds for child support enforcement.<sup>1</sup> The District enacted this legislation for the

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<sup>1</sup> The Congress approved and President Clinton signed the Personal Responsibility and Work Opportunity Act (Public Law 104-193; 42 U.S.C. § 666) in 1996.

The Honorable Phil Mendelson

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first time in 1995,<sup>2</sup> and since then, amended it a few times<sup>3</sup> following amendments drafted by the Uniform Law Commission.

The bill incorporates the amendments recommended by the Uniform Law Commission in 2008. The substantive amendment is the addition of a new title on the international provisions of the Act. In November of 2007, the United States signed the 2007 Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance, which contains numerous provisions that establish uniform procedures for the processing of international child support cases. The rules and guidelines for registration, recognition, enforcement, and modification of foreign support orders are now codified under Title 7.

### **Financial Plan Impact**

Funds are sufficient in the fiscal year 2016 through fiscal year 2019 budget and financial plan to implement the bill. There is no impact on the District's budget to amend the rules on child support enforcement in the District. In the District, the federal government provides the funds for child support enforcement, whether the enforcement action is on an order entered in a District court, or in some other jurisdiction.

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<sup>2</sup> Uniform Interstate Family Support Act of 1995, effective February 9, 1996 (D.C. Law 11-81; D. C. Official Code § 46-301.01 *et seq.*).

<sup>3</sup> The District enacted these amendments in 1998 (D.C. Law 12-131, § 2(a), 45 DCR 2924, effective July 24, 1998,) and in 2006 (D.C. Law 16-137, § 2(a)(1), 53 DCR 3634, June 22, 2006).